

Then we heard the partisan attacks from many Republicans on the 9/11 Commission, which the administration allowed to go forward in the first place only after great resistance.

I hope and pray we can return to a time as we used to do, and as it was when I came to the Senate, when security issues were not used for partisan effect or political benefit. Given the track record of this administration for secrecy, unilateralism, overreaching, and abject partisanship, however, I certainly understand why many question their assertions. An administration that can hide legal memoranda justifying torture and then, when forced to acknowledge them, disavow them, does not earn our trust. An administration that reports that terrorism had decreased last year and then, when questioned, had to admit that it was wrong and reissue the report has basic credibility problems.

So I wish we would turn away from these divisive legislative maneuvers and work together on the Nation's agenda. The senior member of the Senate, Senator BYRD, said it all better than I can. He spoke yesterday afternoon about the need to get about our business and the Nation's business. Senator BYRD offered wise counsel to the Republican leadership. I wish it had been listened to.

Roll Call reported earlier this week that this week's activities amount to a showdown prompted by the Republicans' desire for a wedge issue they can use with undecided voters in November. That is a shame and a sham. When we should be considering measures to strengthen homeland security, Republican partisans are focused on devising wedge issues for partisan political purposes. Well, that is wrong. I urge the Republican administration and the Republican leaders in the House and the Senate to come back to the work of Congress, not the work of political partisans. Let us complete our work for the American people.

The Senate does not have to be a battlefield for the Presidential campaign. There is plenty of time for that. In fact, I wonder if we are not setting ourselves up for people to say during the election season that the Republican-controlled Congress did not do the work of the people. Let us get on with doing it. One of the first things we can do is take the stalled Homeland Security appropriations bill and actually vote on it.

If the hundreds of billions of dollars we have spent so far have not made us safe, then let us debate that and find what will.

I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

REPORT OF SELECT COMMITTEE ON INTELLIGENCE

Mr. BOND. Madam President, I am very pleased to announce that today, about 90 minutes ago, the report of the

Select Committee on Intelligence on the pre-Iraq war has finally been released. We were bound not to talk about it until it was released at 10:30 today. Our staff has done an excellent job reviewing 15,000 documents and 200 witnesses, going back time and again to get the facts straight.

We came up with the unanimous conclusions that I think this body and our friends around the country, including the media, ought to pay attention to what is actually in that report. Some of my colleagues spent yesterday talking about the report and putting their spin on it.

I have been very distressed that the spin had nothing to do with the facts that are actually in the report. It is a lengthy report. For the benefit of my colleagues who have not been on the Intelligence Committee, let me tell you a couple of things that were in the report.

First, the intelligence used by the President, the Vice President, the chairman, and ranking member of the Intelligence Committee, the chairman and ranking member of the Armed Services Committee, along with the rest of us, was the intelligence given to them by the CIA. This was intelligence given to them through three administrations. On the basis of that, on the floor the statement was made on September 19, 2002:

We begin with the common belief that Saddam Hussein is a tyrant and a threat to the peace and stability of the region. He has ignored the mandate of the United Nations and is building weapons of mass destruction and the means of delivering them.

Senator LEVIN stated that.

On October 10, 2002:

There is unmistakable evidence that Saddam Hussein is working aggressively to develop nuclear weapons and will likely have nuclear weapons within the next 5 years. We also should remember we have always underestimated the progress Saddam has made in the development of weapons of mass destruction.

Senator JAY ROCKEFELLER stated that.

These were conclusions that came from the best intelligence we had available, that other intelligence agencies had available. Actually, if you look at it, Iraqi Survey Group leader David Kay, when he came back to the United States, said we know that Iraq was a far more dangerous place, even than we had learned from our intelligence because of other things that were going on that were not fully reported.

We identified problems in this report. There was no human intelligence, which you absolutely need. There was faulty analysis in sharing of information among the various agencies. Some analysts did not fully qualify the information that was not confirmed.

But despite the breathless headlines, despite the political charges that are being made on the other side of the aisle, no one was pressured to change judgments or reach specific judgments. In fact, the committee interviewed

over 200 people, searching, searching, and searching for those who might be pressured.

Chairman ROBERTS asked repeatedly, publicly and in hearings, that anybody who had information on pressure to change conclusions, come forward. Nobody did. They chased rabbits all through every brush pile that could be imagined. Anybody who had an idea of pressure was challenged. Do you know what they found? There was tremendous pressure on the analysts because they had not put together the right information prior to 9/11. They felt pressure, but they all said it was pressure to get it right. They said it is the job of the intelligence community to respond to the most searching questions of the people, the policymakers who use it.

Let me cite three conclusions from the report, which I think are very important on intelligence. From page 284: conclusion 83:

The committee did not find any evidence that administration officials attempted to coerce, influence, or pressure analysts to change their judgments related to Iraq's weapons of mass destruction capabilities.

Page 285, conclusion 84:

The committee found no evidence that the Vice President's visits to the Central Intelligence Agency were attempts to pressure analysts, were perceived as intended to pressure analysts by those who participated in the briefings of Iraq's weapons of mass destruction programs, or did pressure analysts to change their assessments.

On page 359, conclusion 102:

The committee found that none of the analysts or other people interviewed by the committee said they were pressured to change their conclusions related to Iraq's links to terrorism. After 9/11, analysts were under tremendous pressure to make correct assessments to avoid missing a credible threat and to avoid an intelligence failure.

These are the findings upon which we unanimously agreed. I think the Vice President and others who have been politically maligned are entitled to an apology.

Do you know what this all comes back to? This comes back to a plan that we learned about on November 6, 2003. I have in my mind a FOX News report on this memo from a Democratic staffer. Nobody has denied it. In fact, they are playing their plays out of that game book now.

It talks about:

No. 1: Pull the majority along as far as we can on issues that may lead to major new disclosures. . . .

No. 2: Assiduously prepare Democratic "additional views" to attach to any interim or final reports. . . .

No. 3: We will identify the most exaggerated claims and contrast them with the intelligence estimates that have since been declassified. Our additional views will also, among other things, castigate the majority for seeking to limit the scope of the inquiry.

That is exactly what the game plan is that they are following. When you look at the conclusion, the summary of that memo, it says:

Intelligence issues are clearly secondary to the public's concern regarding the insurgency in Iraq. Yet, we have an important

role to play in revealing the misleading—if not flagrantly dishonest methods and motives—of senior administration officials who made the case for a unilateral, preemptive war. The approach outlined above seems to offer the best prospects for exposing the administration's dubious motives and methods.

I ask unanimous consent that be printed in the RECORD following my statement.

The PRESIDING OFFICER (Mr. HATCH). Without objection, it is so ordered.

(See exhibit 1.)

Mr. BOND. To sum it up, we are at war with terrorists. The terrorists were in Iraq. They had access to the weapons of mass destruction that Saddam Hussein had produced in the past and were willing to produce in the future. We have received increased briefings on recent threats in the United States. The greatest danger we fear is that Saddam Hussein, had we not taken him out, would be supplying those terrorists with chemical and biological weapons.

Our troops remain under fire, but some on this floor and some commentators I have heard seem to be more interested in politicizing the problems in the Intelligence Committee rather than getting at the root of the problem. I hope we can put these partisan charges aside because there is much work to do to improve the gathering, the analysis, and the dissemination of intelligence. For the good of this country, we need to put behind us this partisan effort to fingerpoint and make accusations that have been explicitly disabused and disavowed by this intelligence report.

I commend the staff of the Intelligence Committee. I thank the many thousands of dedicated people in the intelligence community who are doing their best, under difficult circumstances, to get information under systems that were not adequate for the needs at the time. We need to build a system where we get human intelligence, where we analyze it better, and where we share it among agencies that we have not done adequately in the past.

I thank my colleagues from Texas and Alabama for their courtesy.

EXHIBIT 1

RAW DATA: DEM MEMO ON IRAQ INTEL

[From FOX News, Nov. 6, 2003]

We have carefully reviewed our options under the rules and believe we have identified the best approach. Our plan is as follows:

(1) Pull the majority along as far as we can on issues that may lead to major new disclosures regarding improper or questionable conduct by administration officials. We are having some success in that regard. For example, in addition to the president's State of the Union speech, the chairman has agreed to look at the activities of the Office of the Secretary of Defense as well as Secretary Bolton's office at the State Department. The fact that the chairman supports our investigations into these offices and co-signs our requests for information is helpful and potentially crucial. We don't know what we will find but our prospects for getting the access we seek is far greater when we have the

backing of the majority. (Note: we can verbally mention some of the intriguing leads we are pursuing.)

(2) Assiduously prepare Democratic "additional views" to attach to any interim or final reports the committee may release. Committee rules provide this opportunity and we intend to take full advantage of it. In that regard, we have already compiled all the public statements on Iraq made by senior administration officials. We will identify the most exaggerated claims and contrast them with the intelligence estimates that have since been declassified. Our additional views will also, among other things, castigate the majority for seeking to limit the scope of the inquiry. The Democrats will then be in a strong position to reopen the question of establishing an independent commission (i.e. the Corzine amendment).

(3) Prepare to launch an independent investigation when it becomes clear we have exhausted the opportunity to usefully collaborate with the majority. We can pull the trigger on an independent investigation at any time—but we can only do so once. The best time to do so will probably be next year either:

(A) After we have already released our additional views on an interim report—thereby providing as many as three opportunities to make our case to the public: (1) additional views on the interim report; (2) announcement of our independent investigation; and (3) additional views on the final investigation; or

(B) Once we identify solid leads the majority does not want to pursue. We could attract more coverage and have greater credibility in that context than one in which we simply launch an independent investigation based on principled but vague notions regarding the "use" of intelligence.

In the meantime, even without a specifically authorized independent investigation, we continue to act independently when we encounter foot-dragging on the part of the majority. For example, the FBI Niger investigation was done solely at the request of the vice chairman; we have independently submitted written questions to DoD; and we are preparing further independent requests for information.

SUMMARY

Intelligence issues are clearly secondary to the public's concern regarding the insurgency in Iraq. Yet, we have an important role to play in the revealing the misleading—if not flagrantly dishonest methods and motives—of the senior administration officials who made the case for a unilateral, preemptive war. The approach outlined above seems to offer the best prospect for exposing the administration's dubious motives and methods.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. I ask unanimous consent to speak for up to 30 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROPOSING AN AMENDMENT TO THE CONSTITUTION RELATING TO MARRIAGE

Mr. CORNYN. First, Madam President, my remarks pertain to the issue of marriage. Of course, I have been here this morning while the distinguished Senator, the current occupant of the chair, the chairman of the Senate Judiciary Committee, comprehensively laid out the reasons why this is an important debate.

I have also heard Senator ALLARD from Colorado and Senator SMITH from Oregon speak about this issue. I would like to associate myself with each of those comments. But I want to explain briefly my own reasons why I believe this is such an important issue.

First, I would like to respond to the comments made by the ranking member, the Senator from Vermont, the ranking member of the Judiciary Committee. This is something that the chairman of the Judiciary Committee has already touched on, but I think it is so important. We keep hearing the same argument over and over again, so we really need to hit this issue hard.

But I think it is so important.

It is amazing to me to hear the Senator from Vermont and others say we have no time to talk about the issue of marriage and the American family because there are more important issues we ought to be debating. The truth is, while there have been Members on this side of the aisle talking about this issue all morning long, there has been virtually dead silence on the other side of the aisle.

Then we hear comments that are made about, well, this really isn't that important, and there are more important issues for us to talk about: homeland security, the budget, appropriations, and the like.

But I concur with the comments made this morning by the present occupant of the chair, the chairman of the Senate Judiciary Committee, that there is no issue more important in this country today than the American family and preserving the traditional institution of marriage as the most basic building block in our society, one created for children in their best interests.

You know this common theme, that this issue is not important; it is not one that has been demonstrated by the lack of presence on the Senate floor by our colleagues on the other side of the aisle, or even the overt comments made about this not being an important issue. We have had numerous hearings in the Senate Judiciary Committee and the Subcommittee on the Constitution, which I am honored to chair, and other committees in the Senate. Essentially, we have been met with either overt hostility or, in many instances no-shows, where Senators have chosen to boycott a good-faith desire to have an honest discussion about this issue and the threat that has been posed to the traditional family.

I, for one, am shocked and amazed at the attitude. Unfortunately, it is the reality we confront today and which the American family confronts.

Of course, I have been concerned about this issue, as I think most Americans have been, for a long time. But I note that in January of 1999 when I served as Texas Attorney General, one of my responsibilities—it was one of the few attorney general offices that had this responsibility—was child support enforcement. It was my obligation, my duty, my privilege to enforce